



PSC NEWS

Missouri Public Service Commission

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PSC APPROVES AQUILA'S CERTIFICATE FOR SOUTH HARPER PLANT

Commission's order imposes certain conditions

JEFFERSON CITY – The Missouri Public Service Commission, by a 3-2 vote, approved – with conditions – Aquila's request for a certificate of public convenience and necessity for its already-built South Harper Facility and Peculiar Substation in Cass County.

The Commission evaluated several factors in making its decision, including the availability of transmission and fuel, improved reliability of service, shortfall in generating capacity, growth in demand for electricity and Aquila's need for peaking capacity. The Commission also looked at Cass County's land use plan and the needs of the public as a whole, including nearby landowners, Aquila's ratepaying customers, and the general public. Other factors considered included the proximity of the South Harper Facility to other generating sites.

In approving the certificate of convenience and necessity, the Commission also issued the following conditions:

- Emissions from the South Harper Facility affecting air quality must comply with all federal and state permit requirements;
- No construction or modification of the existing South Harper Facility shall be done in preparation for adding any generating unit(s) to the site before obtaining a certificate of convenience and necessity from the Commission to add the unit(s);
- Sound abatement measures must be fully utilized and maintained (stack attenuation, turbine acoustical enclosures, berms, trees, and strict adherence by Aquila to the sound limits in its contract with the manufacturer);
- Emergency horns and sirens must be focused to the attention of site personnel and not the entire neighborhood;
- Roads on the site must be worked on at least weekly to repair any ruts or holes, and dust abatement measures must be adopted for unpaved roads;
- Security patrols must be very carefully conducted to only oversee Aquila's resources and not increase traffic in areas not associated with this effort; and
- Security lighting of the completed facility must be subdued and be specifically designed to minimize "sky shine" that would impact the surrounding area

The Commission's order becomes effective on May 31, 2006. By law, a party must file an application for rehearing and the Commission must rule on it before the party can seek an appeal in circuit court.

Background: On January 25, 2006, Aquila, Inc. filed with the Missouri Public Service Commission for permission and approval of a certificate of public convenience and necessity authorizing it to acquire, construct, install, own, operate, maintain and otherwise control and manage its South Harper facility and Peculiar Substation in Cass County (a peaking power production facility comprised of three natural gas-fired turbines and associated electric transmission substations).